

# WILLKIE FARR & GALLAGHER LLP

1875 K Street, NW  
Washington, DC 20006

Tel: 202 303 1000  
Fax: 202 303 2000

July 17, 2007

## **VIA ELECTRONIC FILING**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: Notice of Ex Parte Presentations in WT Docket No. 05-265 and WT Docket No. 06-150

Dear Ms. Dortch:

On July 17, 2007, David Don of Comcast Corporation and I met with Bruce Gottlieb, legal advisor to Commissioner Copps, to discuss issues raised by the above- referenced proceeding.

Mr. Don explained that the ability to obtain automatic roaming agreements from other carriers, especially nationwide carriers, would be essential for potential new entrants, such as SpectrumCo LLC, during the build-out phase of their networks. Mr. Don noted that the Commission's previous decisions on roaming recognized the importance of roaming for new entrants, and that a legal right applicable only to manual roaming is anachronistic and untenable in a world where automatic roaming is the norm. A clear legal right to automatic roaming will protect new entrants and their customers by assuring that the customers will have access to service nationwide. Automatic roaming obligations should attach to data services, including those offered independent of voice services, as well as to voice services.

An automatic roaming requirement also has advantages for dealing with any potential issues that may arise as carriers begin to evolve from 2G and 3G networks to advanced 4G networks because of the manner in which it distributes evidentiary burdens. With automatic roaming as the norm, the obligation to demonstrate that it is infeasible for reasons of technological incompatibility or capacity constraints falls on firms seeking to deny access to their systems. This places the responsibility to come forward with factual information on the parties that possess it..

On July 16, 2007, Mr. Don engaged in a telephone conversation with Mr. Gottlieb concerning the design of the 700 MHz auction. Mr. Don's statements are reflected in SpectrumCo's May 23, 2007, comments submitted in WT Docket No. 06-150.

Marlene Dortch

July 17, 2007

Page 2

Please contact me if there are any questions regarding this filing.

Respectfully submitted,

/s/ Philip L. Verveer

Philip L. Verveer

*Counsel to Comcast Corporation*

cc: Mr. Bruce L. Gottlieb